

**SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS  
OFFICE OF SPECIAL EDUCATION**

**Vermillion School District  
Continuous Improvement Monitoring Process Report 2001-2002**

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**Dates of On Site Visit:** April 22-24, 2002

**Date of Report:** July 9, 2002

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Maintenance</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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<b>Principle 1 – General Supervision</b>
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

**Steering Committee Self-Assessment Summary**

Data sources used:

- ? Comprehensive Plan
- ? Proportionate Share Calculations
- ? Interview with SPED Director
- ? Agreement between USD and Vermillion School District

## **Promising Practice**

The steering committee identified that Vermillion School District has policies and procedures in place to support child find, referral, personnel and professional development for special education staff, suspension and expulsion rates of students receiving special education and placement of students in private schools. They determined there is documentation to support that children voluntarily enrolled in private schools receive the needed funds for their services and the school district practices gathering and sending accurate data on students receiving special education services.

## **Maintenance**

The steering committee identified that the school district needs to continue reinforcing documentation of all referrals. In addition, it was determined that documenting how students receiving special education services will be assessed at the state and district level needs to continue.

## **Needs Improvement**

The steering committee concluded that the school district needs improvement in the following areas; collect more information from staff indicating what their concerns are about the pre-referral system, developing goals and objectives that meet state and federal regulation, and gather more information on how to review and analyze school district level data to determine why staff and administrators differ on their view of using the state/district assessments to predict and plan for students receiving special education services.

## **Out of Compliance**

The steering committee identified that the school district is out of compliance in the areas of meeting staff's training needs and allowing input in order to implement student IEPs. In addition, the steering committee found the school district needs to allow for more parent involvement in the IEP process.

## **Validation Results**

### **Maintenance**

The monitoring team agrees with all areas identified as maintenance for the school district concerning reinforcing documentation of all referrals and how students receiving special education services will be assessed at the state and district level.

While the steering committee concluded that the school district has policies and procedures in place to support child find, referral, personnel and professional development for special education staff, suspension and expulsion rates of students receiving special education and placement of students in private schools, and accurate data collection, SD Administrative Rules require these to be completed. Therefore, the monitoring team validates these requirements to be at a maintenance level for the district.

### **Needs Improvement**

The monitoring team agrees with all areas identified as needs improvement for general supervision as concluded by the steering committee.

Through staff interviews and file reviews, the monitoring team could not validate the steering committee's decision to make parent involvement in the IEP process and staff's training needs as areas out of compliance. The monitoring team concluded that IEPs were being implemented correctly and parent involvement occurs. However, should the school district wish to address these concerns, the monitoring team encourages them to do so.

The monitoring team found one additional area of needed improvement not identified by the steering committee, and that is suspension and expulsion at the high school level. Although out-of-school suspensions are not commonly used in the Vermillion School District, in-school-suspension (ISS) is routinely used at the high school level. Through interview, it was found that students serving in-school-suspension are brought their assignments for completion, but these students do not receive their special education services according to their IEPs while serving

ISS. The review team cautions the district that repeated use of ISS as currently configured could result in a change of placement for some students. The district is encouraged to either reconfigure ISS to allow for continued special education services while students are serving ISS, and/or establish a tracking system to ensure that these students are not removed from their special education services to the point of a change in placement.

#### **Out of Compliance**

24:05:17:03. Annual report of children served.

An IEP in effect as of the December 1, 2001, child count was not found for four (4) students. If documentation of IEPs active on December 1, 2001, cannot be found for these students, the district will be required to return the federal flow through funds that were received for these students.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

#### **Steering Committee Self-Assessment Summary**

Data sources used:

- ? Comprehensive Plan
- ? Student Surveys
- ? Parent Surveys

#### **Maintenance**

The steering committee identified that the school district has policies and procedures in place to support that all eligible children with disabilities are provided a free appropriate education. In addition, the steering committee found that the school district has had no suspensions/expulsions in the last 2-3 years.

#### **Needs Improvement**

The steering committee concluded that even though the school district has zero suspensions/expulsions, a tracking system for monitoring the number and frequency of student removals needs to be in place.

The steering committee agreed that the school district needs to collect more data in order to determine student participation in extra-curricular activities at each grade level.

#### **Out of Compliance**

The steering committee found that the school district does not conduct parent surveys on a routine basis.

#### **Validation Results**

#### **Maintenance**

The monitoring team agrees with all areas identified as maintenance for FAPE as concluded by the steering committee.

## **Needs Improvement**

The monitoring team could not validate the steering committee's decision regarding the need to conduct parent surveys on a routine basis as out of compliance. Conducting parent surveys is not a requirement. The monitoring team does support the steering committee's idea of conducting parent surveys on a routine basis in the future.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- ? Comprehensive Plan
- ? File Reviews
- ? IEP forms
- ? Parent Rights Handbook
- ? Prior Notice/Consent Forms
- ? MDT Form
- ? Parent Surveys
- ? Teacher Surveys
- ? Special Education Staff Information

### **Promising Practices**

The steering committee identified that Vermillion School District has policies and procedures in place to support the following: written notice and consent, eligibility, involving parents in eligibility determination which results in effective IEP's for eligible students and recommended tests for students by trained and qualified staff.

### **Maintenance**

The steering committee concluded that evaluations are administered by appropriately trained personnel, completed within the appropriate time frame and copies of those evaluation results are given to the parents.

### **Needs Improvement**

The steering committee concluded that the school district needs to develop appropriate curricula and support for LEP students.

It was determined by the steering committee that the school district needs to get more parent input during the evaluation process.

It was identified by the steering committee that the school district should further monitor administration of functional evaluations as well as staff perceptions regarding relevance of assessment information.

The steering committee concluded that more data collection needs to occur by the school district in the areas of reevaluation and eligibility and whether or not reevaluation and eligibility procedures are being implemented according to all administrative rules and timelines.

## **Validation Results**

### **Maintenance**

While the steering committee identified the following policies and procedures as promising practices: written notice and consent, eligibility, involving parents in eligibility determination which results in effective IEPs for eligible students and recommended tests for students by trained and qualified staff, SD Administrative Rules requires these to be completed. Therefore, the monitoring team validates these requirements to be at a maintenance level for the district.

The steering committee concluded that more data collection needs to occur by the school district in the areas of reevaluation and eligibility. Through file reviews, the monitoring team could not validate timelines for reevaluations to be an issue or area that needs improvement, but were able to determine timelines to be at a maintenance level for the district.

### **Needs Improvement**

It is required that at least every three years a student is reevaluated to determine continuing eligibility. It is the responsibility of the IEP team to review existing evaluation data and determine if any other data are needed to make decisions about a student's eligibility and services. If the IEP team determines that no additional data are needed, the district is to inform the parents that no additional data are needed, the reasons for it, and the parent's right to still request further evaluation. Through interview and documentation review, the monitoring team was able to verify that ability and achievement evaluation results were used from the previous three-year reevaluation and minimal assessments were administered at the elementary, middle school and high school levels. There is evidence at the high school level that the team is starting to document that former evaluations are being brought forward; however, this is not a district-wide practice. The monitoring team is unclear as to whether the current prior notice procedures at the high school level unmistakably informs the parents of the district's evaluation decision and their rights concerning the decision. In five of the files reviewed, the prior notice for reevaluation did not indicate that previous data was being brought forward and the reasons for it, therefore, the monitoring team determined this to be an area that needs improvement in the district.

The prior notice for any initial or reevaluation is required to contain a description of each evaluation procedure, test, record, or report the district is proposing to use. During the onsite visit, the monitoring team found three files in which an evaluation was administered but no consent was obtained from the parent. The monitoring team also found one file in which the parent had given consent for an evaluation; however the evaluation was never administered. As these instances were not systemic throughout the district, the monitoring team determines this to be an area that needs improvement in the district.

The monitoring team agrees with the steering committee's conclusion that the school district needs to develop appropriate curricula and support for LEP students.

### **Out of Compliance**

#### **ARSD 24:05:25:04 Evaluation procedures**

In order to best develop an appropriate program for a student, the first step is to evaluate and determine the needs of the student. The IEP team must assess in all areas related to the suspected disability, including behavioral assessments if appropriate. They must use a variety of assessment tools and strategies to gather relevant functional information, which directly assists in determining the educational needs of the student. The evaluation is to be comprehensive enough to identify all of the student's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. This includes transition assessments. Transition services are to be a coordinated set of activities, designed with an outcome-oriented process, which promotes movement from school to post-school activities. These activities must be based on the individual student's needs and take into account the student's preferences and interests, which are determined through formal and informal assessment. Through documentation review, the monitoring team found that there were no files of transition-age students where a transition evaluation was considered or administered in order to design an outcome-oriented process based on the student's needs, preferences and interests.

As stated in the previous paragraph, the IEP team must assess in all areas related to the suspected disability, including behavioral assessment if appropriate. The monitoring team found documentation in six student files which indicated the student was exhibiting behaviors that required intervention; however, no assessments were administered or strategies developed to address the behaviors.

Through staff interviews and file reviews, the monitoring team found the majority of the special education staff to be unfamiliar with the functional assessment requirement. District staff did not include functional information in the evaluation process or understand that this information was to be used for determining specific skill areas affected by the student's disability, the student's present levels of performance, their progress in the general curriculum or development of annual goals and short term instructional objectives. Functional assessment data are critical since the practical information provided is necessary for developing well written individually tailored IEPs. Functional data sources can be systematic observations, grade level textbook placement tests, curriculum-based assessments, informal reading inventories and numerous criterion-referenced measures. Functional assessment information is available through a variety of sources in the district, however, there is not an established process for collecting, analyzing, summarizing or integrating the information into the 25 day evaluation process or the development of the student's IEP. Through documentation review, it was found that fourteen files were missing evidence of functional assessment in the evaluation and IEP development processes.

Based on interviews and documentation found, the monitoring team determined evaluation procedures to be an area out of compliance for the district.

## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- ? Parent Rights Booklet
- ? Comprehensive Plan

### **Maintenance**

The steering committee found that the school district has policies and procedures to support the following: consent provides all information relevant to the activity for which consent is sought, five day prior written notice is given to parents, parents are notified and fully informed in their native language or other mode of communication, parents are provided with opportunities to inspect and review all records of their child with a disability, or receive copies, record of access forms are present in student cumulative files, and all rights are provided in written and verbal interpretation is provided by the education staff.

### **Validation Results**

#### **Maintenance**

The monitoring team agrees with all areas identified as maintenance for procedural safeguards as concluded by the steering committee.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- ? Parent Surveys
- ? Administrator Surveys
- ? Staff Surveys
- ? File Reviews

### **Maintenance**

The steering committee identified that the school district has policies and procedures in place in order to implement the IEP, including appropriate team membership and required content in the IEP.

### **Needs Improvement**

The steering committee concluded that general education teachers are not always involved in the decision making, development, and implementation of a student's IEP when it involves transition and extended school year.

The steering committee decided that the school district needs to gather more data in order to identify at which level a general education teacher provides input regarding progress when they are not in attendance at IEP meetings. In addition, more data is needed to confirm that a student is invited to his/her IEP team meeting, specifically at age 14.

The steering committee determined that the school district needs to improve writing measurable goals and objectives.

### **Validation Results**

### **Needs Improvement**

Through file reviews, the monitoring team could see that general education teachers were in attendance at IEP meetings. Through interviews, several general education teachers expressed that they didn't feel they could give much input as they felt decisions have already been made prior to the meeting by special education staff. The monitoring team agrees with the steering committee's conclusion that this is an area that needs improvement.

The required content for an individual education program is another area of needed improvement. The amount of services to be provided must be stated in the IEP, so that the level of the agency's commitment of resources will be clear to parents and other IEP team members. During file reviews, the team found that accommodations/modifications were being addressed but "as needed" was used to describe the frequency of modifications needed on many of the IEPs reviewed numerous modifications were checked on the form. It is suggested that the IEP team only check modifications for a student that are essential for that student to participate in the general curriculum.

### **Out of Compliance**

### **ARSD 24:05:25:26.**

The review team noted during student file reviews and interview that staff in the Vermillion School District is unclear about the intent of extended school year services, or ESY for students with disabilities. Extended school services are provided to eligible children with disabilities if the IEP team determines that a child will experience significant regression of previously learned skills without the provision of such services to the extent that the child

will be unable to regain the skills within a reasonable time. The student's loss of skills could be due to regression/recoupment; emerging skills; or the maintenance of critical life skills.

The review team noted in many student files that a summer school program at the University of South Dakota was being used by the school district as extended school year services for students with disabilities. The university program is a 6-week program that can be used for all children, and is not individualized according to student IEPs. The district also has their own 4-week summer school program for students who need additional help in content areas during the summer. This 4-week district program was also used for students with disabilities instead of an individualized extended school year program based upon individual needs. The monitoring team therefore finds the school district to be out of compliance regarding ESY.

The monitoring team also determined that the majority of present level of performance statements reviewed did not include the student's strengths, needs or the student's involvement/progress in the general curriculum. And although the goals written were measurable, they were not skill based and did not correlate with the student's present level of performance statement. As discussed previously in Principle 3, the majority of the educators did not understand that functional assessment is to be used for determining specific skill areas affected by the student's disability, the student's present level of performance, their progress in the general curriculum and development of annual goals and short-term objectives.

For transition-age students, the IEP requires a summary of the student's present level of performance that describes strengths and needs of the student in the context of the student's desired post-school vision. This information would best be determined through both formal and informal assessments. Again, as discussed previously in Principle 3, the monitoring team found there were no files of transition-age students where a transition assessment was considered or administered, therefore, all present level of performance statements for transition-age students were incomplete.

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data Sources Used:

- ? Student Surveys
- ? Parent Surveys
- ? Administrator Surveys
- ? File Reviews

### **Promising practices**

The steering committee found that the school district has policies and procedures for LRE and include preschoolers as demonstrated by the districts integrated Early Childhood Special Education/Head Start Connection.

### **Maintenance**

The steering committee concluded that the district has policies and procedures in place to support a continuum of least restrictive environment. In addition, all of the district's children with disabilities receive services in LRE with the supports they need for successful participation.



**Needs Improvement**

The steering committee determined that the district has a lack of appropriate modified grade level instructional materials based on the general education curriculum.

**Validation Results****Promising practices**

During interviews with the early childhood special education staff and tour of the Early Childhood Special Education/Head Start Connection program, it became clear that there is integration of children on IEPs with children from Head Start that are not on IEPs. Through file reviews, the monitoring team found children on individualized programs; not every child was getting the same thing. In addition, collaboration between the school and Head Start is working well regarding transporting children to and from day cares, along with services being provided at day cares. The monitoring team agrees with the steering committee's conclusion that the Early Childhood Special Education/Head Start Connection program is a promising practice.

**Maintenance**

The monitoring team agrees with the steering committee's conclusion for LRE to be an area of maintenance.

**Needs Improvement**

The monitoring team agrees with the steering committee's conclusion for LRE to be an area of needs improvement.